



# Resolving Performance Issues

Participant Guide



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# Welcome

Welcome to this TEL (Technology Enhanced Learning) training event. We are excited that you will be joining us today for *Resolving Performance Issues*, and we look forward to helping you to get as much out of this time as possible.

Your classroom today is not very large, 125 or fewer students from as many as 40 different locations across the NPS. We purposely keep the class size small to assure that if you have a question, there is time to get it answered. Don't hesitate to ask—if you have a question, there are probably several others in the class who have the same question—you might as well be the one to ask! It is our goal that you leave class today with no unanswered questions.

## How To Interact with the Instructor

We encourage you to ask questions and share your comments with the instructors throughout this TELNPS course.

If you were physically in the classroom with the instructor, you would raise your hand to let her/him know you had a question or comment. Then you would wait for the instructor to recognize you and ask for your question. We are all familiar with that “protocol” for asking questions or making comments.

With TELNPS courses there is also a “protocol” to follow to ensure that you can easily ask questions and others can

participate as well. It may seem a little strange at first asking a question of a TV monitor. Remember, it is the instructor you are interacting with and not the monitor. As you ask more questions and participate in more TELNPS courses, you will soon be focusing only on the content of your question and not the equipment you are using to ask it.

As part of the TEL station equipment at your location, there are several push-to-talk microphones. Depending on the number of students at your location, you may have one directly in front of you or you may be sharing one with other students at your table.

**When you have a question, press and hold down the push-to-talk button, maintaining a distance of 12-18 inches, and say,**

*“Excuse me [instructor’s first name], this is [your first name]*

*at [your location]. I have a question (or I have a comment).”*

Then release the push-to-talk button. This is important.

Until you release the button, you will not be able to hear the instructor.

The instructor will acknowledge you and then ask for your question or comment. Stating your name and location not only helps the instructor, but also helps other students who are participating at different locations to get to know their classmates.



# Course Overview

## **Why a *Resolving Performance Issues* program?**

Managing employee performance can be said to be one of the most difficult tasks a supervisor must perform, because there is so much at stake – not only are you responsible for getting the most from each of your employees, you also don't want to turn your good employees into poor ones by failing to address their peers' performance issues. Today's course is designed to help you resolve employee performance issues at the earliest stages, with the least amount of complexity, helping to ensure that your employees are productive and that you are satisfied with their performance.

## **Target Audience**

Any NPS employee with supervisory responsibilities, or who serves as an advisor to supervisors, such as an HR Specialist. This course has been approved to count towards the mandated NPS annual 40-hour supervisory training requirement.

## **Program Timing**

*Resolving Performance Issues* is a 2-hour TELNPS course.

## **Learning Objectives**

After completing this course, you will be able to:

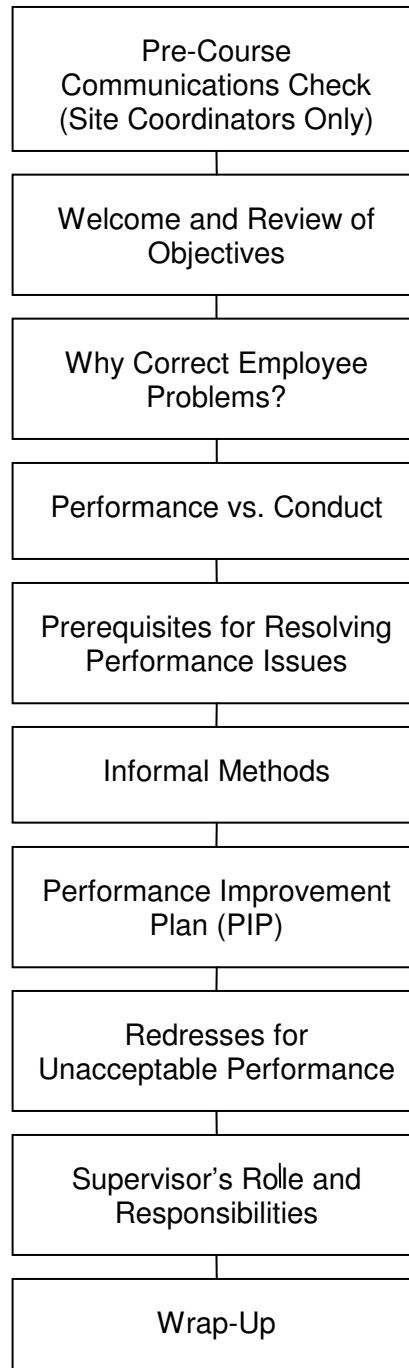
- List 3 reasons why it is important for supervisors to deal with employee problems in the workplace.
- Explain the difference between an employee performance issue and an employee conduct issue.
- Recognize and apply the prerequisites for resolving employee performance issues.
- List informal methods for resolving performance issues that you can use before implementing a formal Performance Improvement Plan (PIP).
- Explain when a PIP must be established.
- List redresses for unacceptable performance.
- Describe the supervisor's role and responsibilities in resolving employee performance issues.

## **Site Point-of-Contact Responsibilities**

The TEL Station Site Point-of-Contact must reserve the training room, notify employees that the park will be participating in this TEL training event, make sure the Participant Guide is available to students, set up the TEL Station on the day of the training, make sure students sign in on the Student Roster form, and finalize the roster in My Learning Manager.

# ***Resolving Performance Issues***

## **Course Map**



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# Why Correct Employee Problems?

For many supervisors, dealing with employee issues, especially those that may have a negative impact on the workplace, is about as appetizing as some of the main dishes on the TV show “Fear Factor.” Addressing and resolving performance issues is among the most central functions of a supervisor, yet this role can cause a great deal of discomfort for both employee and supervisor. We’re here today to help you manage the process in a way that helps to ensure that you and your employees are productive and satisfied.

Why do YOU think it is important for supervisors to deal with employee problems in the workplace?

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_

## ***Case Study: Tom, the Visitor Use Assistant***

Throughout today’s course, we will be analyzing a hypothetical employee case involving a Visitor Use Assistant that you supervise. You will be given some background information on Tom, who has begun to demonstrate some problems. At each stage of the analysis, you will be given information to help you to determine the best course of action to help Tom resolve these issues.

### ***Tom, the Visitor Use Assistant***

- Permanent employee
- 18 months in present position
- Problems with balancing cash drawer
- Confrontational attitude
- No previous efforts to correct problems

# Performance vs. Conduct

How do you know which course of action to take? The first thing you must do is to determine whether the issue is one of performance or conduct.

A *conduct* problem is....

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A *performance* problem is....

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How Do I Handle the Problem?	Employee Assistance Program (EAP)	Employee Assistance Program (EAP)
<p>Is it a conduct problem? → Disciplinary action</p> <p>Is it a performance problem? → Performance management system</p>	<ul style="list-style-type: none"><li>• Grief</li><li>• Stress</li><li>• Substance abuse</li><li>• Domestic problems</li></ul>	<ul style="list-style-type: none"><li>• Confidential</li><li>• Free initial assessment</li><li>• 3-6 visits</li><li>• Resource for supervisors</li></ul>

## Exercise: Performance or Conduct?

At your site...

- Come up with an example that illustrates an employee conduct problem.

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- Come up with an example that illustrates an employee performance problem.

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*Be prepared to share your examples without letting your classmates know which type of example (conduct or performance) it represents.*

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# Prerequisites for Resolving Performance Issues

## Supervisor's Checklist

Supervisory Action	(Circle One)
1. Have I determined that this is poor performance and not misconduct?	Yes      No
2. Am I following the timelines required for the annual performance management cycle and documenting this on form DI-3001? a. Reviewing the performance plan with the employee within 60 days of the start of the rating period. b. Conducting at least 2 counseling sessions during the rating period. c. Reviewing the annual evaluation within 60 days after the end of the rating period.	Yes      No Yes      No Yes      No Yes      No
3. Have I communicated the critical elements for acceptable performance to the employee? Are they clear and reasonable? (See following page for SMART guidelines for critical elements.)	Yes      No
4. Have I communicated to the employee which critical elements are not being achieved?	Yes      No
5. Have I counseled the employee on how to improve to an acceptable level?	Yes      No



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## Prerequisites, cont'd.

### Writing SMART Critical Elements

Critical elements are used to describe expected performance in terms that are clear, measurable, and achievable. To help you to write critical elements that meet these standards, you may wish to use the SMART acronym.

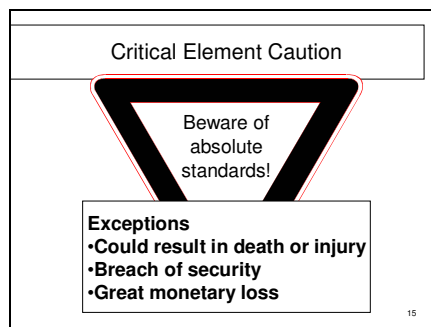
Critical elements must be:



**S** \_\_\_\_\_  
**M** \_\_\_\_\_  
**A** \_\_\_\_\_  
**R** \_\_\_\_\_  
**T** \_\_\_\_\_

Writing SMART critical elements helps you and the employee to communicate more effectively about what performance is expected and how it will be evaluated.

Be sure that your critical elements don't OVER-STATE performance standards. An "absolute" standard (must be achieved 100% of the time) is only legally necessary in certain specific cases, where failure to achieve could result in death, serious injury, breach of security or great monetary loss.



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## Prerequisites, cont'd.

### The “Drop File”

The “drop file” is an important supervisory tool, and can be used for much more than merely correcting employee performance and conduct. This file should contain documentation of counseling sessions with the employee, evaluations, personnel forms, and notations that can be used to develop performance ratings, justify awards, and address other issues.

Be sure to document your communications with your employee and their responses. This is important to be able to demonstrate that you have provided an adequate amount of feedback and resources to the employee, and will help you to make your case if you need to move to a more formal method. **PLEASE NOTE: The employee has a right to know the drop file exists and have access to the file.**

<i>Drop File</i>
<ul style="list-style-type: none"><li>• Document counseling sessions</li><li>• Work or notations that will support an award</li><li>• Copies of SF-50's</li></ul> <p>Employee has a legal right to know the file exists and have access to the file.</p>

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# Informal Methods for Resolving Performance Issues

You've determined that your employee has demonstrated a performance problem. You have SMART critical elements in place and have communicated with your employee your expectations for performance. What do you do next?

Before you enter the formal process, called the "Performance Improvement Plan" (PIP), be sure to thoroughly examine informal ways to help correct and maintain employee performance.

There are many ways to informally address performance issues. Be creative!

## Examples of Informal Methods

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_
5. \_\_\_\_\_  
\_\_\_\_\_

# Reconsideration Process

## Reconsideration Process

- Bureaus/Offices may develop their own process
- Criteria: Dissatisfaction with an element rating that would affect the Summary Rating

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## Reconsideration Process, cont'd.

- CBA with reconsideration process governs
- Must notify all employees of the reconsideration process developed
- Reconsideration Process must include:
  - Informal and Formal procedures
  - Reasonable timeframes
  - Final decision must remain within Bureau/Office

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## DOI PROPOSED Informal Reconsideration Process

- Informal discussion with rating official within 7 calendar days of receipt of the EPAP
- No agreement – employee may request formal reconsideration through HRO
- Rating Official provides decision
  - Verbal or written
  - Provided within 7 calendar days after discussion

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## DOI PROPOSED Informal Reconsideration Process

- Written request to HRO within 7 calendar days of receipt of informal decision
- HRO reviews to determine if appropriate for acceptance
  - Not accepted – return with explanation
  - Accepted – referred within 14 calendar days
- Employee may be represented
- Review limited to reconsideration of rating on critical element(s) that will impact the RoR

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## DOI PROPOSED Informal Reconsideration Process

- Reconsideration Official
  - Reviews evidence
  - Consults with necessary individuals
  - Makes changes if appropriate
  - Issues final written decision within 20 calendar days
    - Copy to employee and filed in EPF
- Decision is final – no further right of review

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## Guidance

- 370 DM 430, *Performance Management System*
- *Performance Appraisal Handbook*
- Any questions should be directed to your servicing HRO



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# Performance Improvement Plan (PIP)

## ***Exercise: Put Yourself in the Employee's Place (30-Second Brainstorm)***

Imagine that your supervisor has told you that your performance is unacceptable. That is all you have been told.



What questions would you have for your supervisor?

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## **“Opportunity to Improve” Letter**

After you have explored informal ways to address employee performance issues, and have documented your counseling sessions with the employee, you may now need to move to a more formal method, with more severe consequences, with which to resolve these issues.

The “Opportunity to Improve” letter is the formal mechanism by which employee performance issues are addressed. This letter lays out the Performance Improvement Plan, or PIP, under which the employee’s performance will be evaluated for a specific period of time. If the employee fails to perform during that time, with the expectations and resources provided, he or she may be terminated from their position.

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## Performance Improvement Plan (PIP), cont'd.

Specifically, the “Opportunity to Improve” letter or PIP:

1. Identifies the **critical elements** under which the employee’s performance is unacceptable and specific **examples of the deficiencies**.
2. Identifies the **specific period of time** the employee is being given an opportunity to demonstrate acceptable performance.
3. States the **improvements that are expected**.
4. States what you, as the supervisor, will do, and what **special training** (if appropriate) will be given to assist the employee to improve.
5. States that if the employee’s performance does not improve to an acceptable level, a **proposal may be issued to separate the employee** from his/her position.
6. States the availability of the **Employee Assistance Program (EAP)**.

**Remember to be clear and specific about what is wrong with the performance and what improvements are expected.**

Opportunity to Improve Letter
<ul style="list-style-type: none"><li>• Identify critical element(s) where performance is unacceptable</li><li>• Identify time period for improvement</li><li>• State what improvements are expected</li><li>• State what you, as the supervisor, will do to assist</li><li>• State what will happen if they do not improve</li><li>• Availability of EAP</li></ul>

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Appendix B contains a sample “Opportunity to Improve” letter.

## ***Exercise: Ways To Help***

Take a few moments to think about these questions:



What are some realistic ways that you would assist your employee?

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What have you seen that has worked well for yourself or others?

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## Redresses for Unacceptable Performance

You've tried everything, from the informal to the formal. Your employee has just failed to achieve while under a PIP. What do you do now?

There are several options available:

1. Involuntary Reassignment

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2. Reduction in Grade

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3. Removal from Service

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The option you choose will depend on the circumstances, specific problems identified during the process of correcting the performance, needs of your work station, available positions, and other factors. Be sure to work closely with your SPO to determine the best course of action. **For Reduction in Grade and Removal from Service, the employee must be given 30 days' advance notice in writing.**



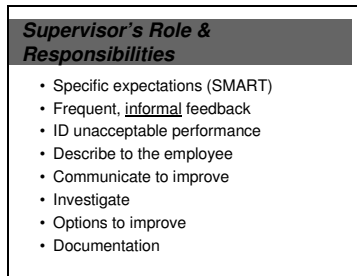
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# Supervisor's Role and Responsibilities

As a supervisor, it is your responsibility and in fact a major emphasis in your own critical elements that you assist employees in achieving the desired results. It is YOUR responsibility to identify unacceptable performance and take the necessary steps to address these issues.

As a supervisor, you should:

- Provide specific performance expectations to your employee (SMART critical elements)
- Provide frequent, informal feedback
- Identify unacceptable performance
- Describe it in specific terms, with examples, to the employee
- Clearly communicate your expectations for improvement to the employee
- Investigate reasons for poor performance (see Appendix A for a sample worksheet to guide you)
- Provide options to help improve employee performance
- Maintain documentation of employee work performance and counseling/feedback sessions, both positive and negative



## To Receive Credit for this Course

1. PRINT your name on the attendance roster.
2. UPON RECEIPT OF E-MAIL NOTIFICATION, complete the online course evaluation.

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## Appendix A: Interview Worksheet-Performance

Use this form to help you document and communicate your observations to your employee, investigate reasons for poor performance, and determine options to improve.

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_ Time: \_\_\_\_\_

<b>What did you observe?</b>	
<b>When and where did it occur?</b>	
<b>Who was involved?</b>	
<b>Has it happened before? How often?</b>	
<b>What was the impact on the workplace?</b>	
<b>ASK: Why did it happen?</b>	
<b>ASK: What were the circumstances?</b>	
<b>ASK: Did the employee seek assistance?</b>	
<b>Notes/Follow-Up</b>	

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## Appendix B: Sample Letter to Inform Employee of Opportunity to Improve Performance

*[NOTE: Brackets below contain supervisory instructions and should not be included in the final letter. All formal performance improvement letters should be reviewed by the Personnel Office before being issued.]*

Dear Les Wurk:

This letter *[or memorandum]* confirms our discussion of *[insert date]*, during which I informed you that you are failing to meet the critical element # *[insert number]* of your position. *[If applicable, you can summarize any informal counseling you provided to the employee in assisting him/her in improving performance.]*

Because your current performance is unacceptable, you will now be provided a formal opportunity to demonstrate that you can perform at the “Fully Successful” level with respect to the critical elements and performance indicators listed below. This formal opportunity will begin on *[insert date]* and end on *[insert date]*. If, as of the end of this period, your performance has not improved to the “Fully Successful” level, or if your performance does improve to the “Fully Successful” level but you do not sustain that level for at least 1 year, then you may be reassigned or a proposal may be issued to remove you from the Service or reduce you in grade. *[If applicable, you must postpone the annual rating until after the completion of the opportunity-to-improve period.]* Your annual rating for the period from *[insert date]* through *[insert date]* will be postponed until after you’ve completed this opportunity period.

*[If the employee is due to receive his/her within-grade increase (WGI), due to the acceptable level of competence determination, the WGI can be postponed until the end of the opportunity-to-improve period.]* You will complete your waiting period for a within-grade increase on *[insert date]* (i.e., during your opportunity-to-improve period). Because I must certify that you are performing at an acceptable level of competence in order for you to receive your step increase, I have decided to postpone my decision regarding whether or not your performance is at an acceptable level of competence until you complete your opportunity-to-improve period. At that time, I will inform you in writing of my decision with respect to your within-grade increase. If you have demonstrated performance at an acceptable

level of competence, you will receive your within-grade step increase retroactive to [insert date].

The critical element(s) that you are failing and examples of your unacceptable performance follow:

*[State the critical element for which the employee was rated Minimally Successful or Unsatisfactory, followed by representative examples of performance for each element. Examples should be concise, direct, and easy to understand, with enough specificity so that the employee has sufficient information to know what the performance deficiencies are. As applicable, this could include information on what the employee did (or did not do) with reference to specific dates, places, cases, etc., and what the employee should have done. Examples should not be broad, vague, or imprecise. As appropriate, examples should include reference to required procedures, counseling, or instructions given previously concerning the matter, and any harm caused by or resulting from the deficiency. Each example listed should have supporting documentation (e.g., if a draft letter is mentioned as an example in the opportunity letter, a copy of the draft letter should be kept as supporting documentation). The following are examples of how the elements should be listed and how the examples of "fails to meet" performance should be written.]*

Critical Element: "Historic building restoration plan will be implemented on 5 buildings and a 75% completion is targeted by September 30. The employee maintains and demonstrates technical expertise in area of assigned responsibility. Plans, organizes, executes work logically. Anticipates and analyzes problems clearly and determines appropriate solutions. Work is correct and complete. Assesses tasks objectively and researches and documents assignments carefully. Weighs alternative courses of action, considering long- and short-term implications. Makes and executes timely decisions.

You have been rated Minimally Successful or Unsatisfactory in this critical element of your position.

*[You are advised to elaborate on your interpretation of each indicator.]*

Example. Booker T. Washington Project. Your draft letter was very critical of the building restoration project, yet it did not present a good case for your recommendation that the project be dropped. It did not discuss the potential damage to the current structure, safety considerations, nor a projected total cost-run analysis. Further, you did not present alternative plans for restoration.

*[Include advice or guidance as to what must be done to bring the performance up to an acceptable level. This could include such things as how time would be best spent (prioritizing and planning), suggested sources of assistance or information, ways or techniques of performing work, formal or informal training available, etc. In conjunction with the critical element and counseling sessions or memoranda, this paragraph should make clear exactly what is expected of the employee. An example follows.]*

During your opportunity period, you will need to do the following in order to meet the fully successful level in the critical elements listed previously:

You must improve your ability to quickly and independently consider the range of possible impacts, both positive and negative, attributable to a project; prioritize your concerns with regard to the resources involved and the significance of those resources; assess the degree of impact, and our legislative ability to influence change; and prepare the documentation needed to adequately support your conclusions. You should read through the project plans when they are assigned to you and plan and prioritize your work effectively so that you will be able to complete it on time.

*[Describe the supervisory assistance and support that will be provided to the employee. This could include any specific work reviews and/or counseling sessions planned, or other active assistance/training planned on work techniques, time management, or technical issues. An example follows.]*

You may expect the following from me to help you improve to an acceptable level:

1. I will make assignments (other than routine assignments) to you in writing. I will also discuss the work assignment with you before you begin.
2. As you work on the assignment, I will be available to discuss your progress, questions, and problems. Feel free to approach me at any time to discuss your work.
3. I will meet with you every 2 weeks, or as needed, to give you ongoing feedback on your progress on each performance indicator. As you complete each assignment, I will personally review it and meet with you in order to provide you with feedback. At the conclusion of each assignment, I will provide

you with a memo that conveys my appraisal of your work on that assignment. Throughout this process, I will strive to provide constructive feedback to help you improve your performance.

To attain the minimum standard for retention in your position, you must meet all the performance indicators listed in the Critical Element above. Your failure to do so will result in either a reassignment to another position or a proposal to remove you from the Service or reduce you in grade.

If you believe that personal, medical, or other problems are reasons for your performance difficulties, you may provide documentation of the medical condition or raise these issues. You may also contact the Employee Assistance Program (EAP) at *[insert telephone number]* or myself for assistance. If you wish to provide medical documentation, the Employee Relations Specialist in the Regional Personnel Office at *[insert telephone number]* will provide you with information concerning medical documentation requirements.

During your opportunity period, I will be monitoring your performance closely and, at the end of the period, I will evaluate your work and make a determination whether your performance during the period has reached the level required for retention in your position. You will be informed soon thereafter of whatever further action is to be taken.

If you have any questions on this matter, feel free to contact me. I am available to answer your questions and to assist you in improving your performance during this period.

Sincerely,

Mr. Manny Jer  
Field Supervisor

*[NOTE: nN a copy of the letter, type the following for the employee to sign:]*

"I acknowledge receiving this document."

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Employee Signature

---

Date

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## Appendix C: Sample Memorandum Indicating Acceptable Performance

*[NOTE: All formal performance improvement letters should be reviewed by the Personnel Office before being issued.]*

### Memorandum

To: Les Wurk, Park Ranger  
From: Manny Jer, Supervisor  
Subject: Improvement of Performance to an Acceptable Level

In a letter to you dated *[insert date]*, I informed you that your performance was unacceptable in the following critical element:

Critical Element: "Historic building restoration plan will be implemented on 5 buildings and a 75% completion is targeted by September 30. " The employee maintains and demonstrates technical expertise in area of assigned responsibility. Plans, organizes, executes work logically. Anticipates and analyzes problems clearly and determines appropriate solutions. Work is correct and complete. Assesses tasks objectively and researches and documents assignments carefully. Weighs alternative courses of action, considering long- and short-term implications. Makes and executes timely decisions.

You were also informed that you would be given an opportunity to demonstrate improved performance with respect to the above specified critical element, and that I would be evaluating your performance during that period. Based on my evaluation of your performance in the critical element, I am pleased to inform you that your performance has reached the level required for retention in your position. Accordingly, no further action will be taken to remove you or to reduce you in grade for your unacceptable performance.

Your performance, of course, must continue to be acceptable. In accordance with Office of Personnel Management Regulations, if your performance again becomes unacceptable before *[insert date (choose date that is 1 year after the date on which the initial opportunity period began)]*, I may recommend your removal or reduction-in-grade without affording you an



additional opportunity to improve your performance. I therefore encourage you to continue your efforts.

Please let me know if you have any questions concerning this matter.

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## Appendix D: Helpful Web Sites

### Department of the Interior:

- DOI Personnel Manager  
[www.doi.gov/hrm/pmanager](http://www.doi.gov/hrm/pmanager)

### Office of Personnel Management:

- Resource Center for Addressing and Resolving Poor Performance  
[www.opm.gov/er/poor/ppp\\_tips.asp](http://www.opm.gov/er/poor/ppp_tips.asp)
- Employee Relations Performance-Based Actions guidance  
[www.opm.gov/er/performance.asp](http://www.opm.gov/er/performance.asp)